

MEMORANDUM

Substitute
Agenda Item No. 11(A)(6)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

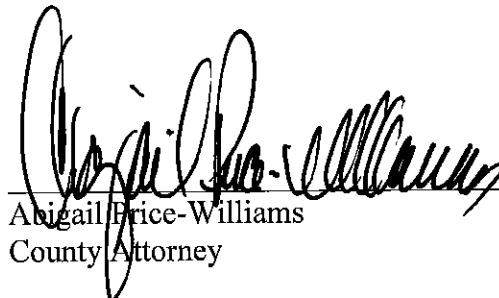
DATE: December 4, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to (I) exercise the option, subject to Board approval, in the Master Developer Agreement, Contract No. RFP-00096, with Trillium Transportation Fuels, LLC, to construct a Compressed Natural Gas ("CNG") fueling facility at the Northeast Bus Depot, (II) procure the purchase of additional CNG buses in order to operate CNG buses from the Northeast Bus Depot, and (III) provide status reports to the Board within a specified time

This substitute differs from the original version in that the substitute requires the reasonable resolution of claims prior to the exercise of the option for the construction of a Compressed Natural Gas fueling facility at the Northeast Bus Depot.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/uw



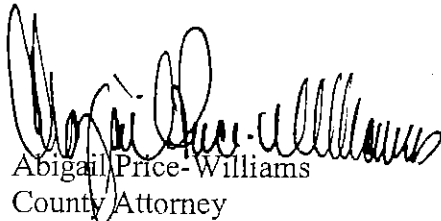
MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: December 4, 2018

FROM:


Abigail Price-Williams
County Attorney

Substitute
SUBJECT: Agenda Item No. 11(A)(6)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 11(A)(6)

12-4-18

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO (I) EXERCISE THE OPTION, SUBJECT TO BOARD APPROVAL, IN THE MASTER DEVELOPER AGREEMENT, CONTRACT NO. RFP-00096, WITH TRILLIUM TRANSPORTATION FUELS, LLC, TO CONSTRUCT A COMPRESSED NATURAL GAS ("CNG") FUELING FACILITY AT THE NORTHEAST BUS DEPOT, (II) PROCURE THE PURCHASE OF ADDITIONAL CNG BUSES IN ORDER TO OPERATE CNG BUSES FROM THE NORTHEAST BUS DEPOT, AND (III) PROVIDE STATUS REPORTS TO THE BOARD WITHIN A SPECIFIED TIME

WHEREAS, on January 24, 2017, this Board adopted Resolution No. R-35-17, which awarded a Master Developer Agreement, Contract No. RFP-00096, to Trillium Transportation Fuels, LLC ("Trillium"), for the Compressed Natural Gas ("CNG") Program for Department of Transportation and Public Works, as well as a sub-agreement for the purchase of 300 new CNG buses; and

WHEREAS, pursuant to the Master Developer Agreement, Trillium is constructing a CNG fueling facility at both the Central Bus Depot and the Coral Way Bus Depot; and

WHEREAS, the CNG fueling facilities will be used to fuel the County's new CNG buses; and

WHEREAS, the Master Development Agreement provides an option which the County may exercise to also construct a CNG fueling facility at the Northeast Bus Depot; and

WHEREAS, exercising that option and constructing a CNG fueling facility at the Northeast Bus Depot will also allow CNG buses to operate from the Northeast Bus Depot; and

WHEREAS, operating CNG buses from all three County bus depots allows for these new and energy efficient buses to operate Countywide; and

WHEREAS, exercising the option to construct a CNG fueling facility at the Northeast Bus Depot and purchasing additional CNG buses to operate from all three bus depot facilities is in the best interest of the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor's designee to exercise the option, subject to Board approval, in the Master Developer Agreement, Contract No. RFP-00096, with Trillium Transportation Fuels, LLC, to construct a Compressed Natural Gas ("CNG") fueling facility at the Northeast Bus Depot.

Section 2. Further directs the County Mayor or County Mayor's designee to procure the purchase of additional CNG buses in order to operate CNG buses from the Northeast Bus Depot, as well as from the Central Bus Depot and the Coral Way Bus Depot. The acceptance of the additional CNG buses should not occur until the CNG fueling facility at the Northeast Bus Depot is operational>>, and subject to the reasonable satisfaction of any claims that have been or could have been asserted by the time the Board approves the option<<.¹

Section 3. Further directs the County Mayor or County Mayor's designee to prepare a report regarding the directives identified in Sections 1 and 2 above within 60 days of the effective date of this resolution, and every 60 days thereafter until the construction of the CNG fueling facility at the Northeast Bus Depot is completed and CNG buses are operating from said facility, and shall place said reports on an agenda of this Board pursuant to Ordinance No. 14-65.

¹ Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Eileen Higgins
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

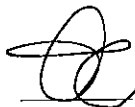
The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of December, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Annery Pulgar Alfonso